

Charter  
Board of Visitors of the U.S. Air Force Academy

1. Committee's Official Designation: The Committee will be known as the Board of Visitors of the U.S. Air Force Academy ("the Board").
2. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 9355 and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established this Board.
3. Objectives and Scope of Activities: The Board shall provide independent advice and recommendations on matters relating to the U.S. Air Force Academy ("the Academy"), as set out in paragraph four below.
4. Description of Duties: The Board shall provide to the Secretary of Defense and the Deputy Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives independent advice and recommendations on the morale, discipline, and social climate, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Academy that the Board decides to consider. The Board shall recommend appropriate action. (10 U.S.C. § 9355(e)(1) and (3)).

The Board shall prepare a semiannual report containing its views and recommendations pertaining to the Academy, based on its meeting since the last such report and any other considerations it determines relevant. Each such report shall be submitted concurrently to the Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives. (10 U.S.C. § 9355(f)).

5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense and Deputy Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives. In accordance with Department of Defense (DoD) policies and procedures, the Secretary of the Air Force may act upon the Board's advice and recommendation.
6. Support: The DoD, through the Department of the Air Force, shall provide the necessary support for the performance of the Board's functions and ensures compliance with the requirements of FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.

The Secretary of the Air Force, through the Superintendent of the Academy, shall ensure that the Board has access to the Academy grounds and the cadets, faculty, staff, and other personnel of the Academy for the purposes of the duties of the Board. The Secretary of the Air Force and the Superintendent of the Academy shall provide the Board candid and complete disclosure, consistent with applicable laws concerning disclosure of information, with respect to institutional problems.

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7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$225,000.00. The estimated annual personnel costs to the DoD are 2.5 full-time equivalents.
8. Designated Federal Officer: The Board's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee appointed in accordance with established DoD policies and procedures.

The Board's DFO is required to be in attendance at all meetings of the Board and any of its subcommittees for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly appointed to the Board according to established DoD policies and procedures, shall attend the entire duration of the Board or any subcommittee meeting.

The DFO, or the Alternate DFO, shall call all of the meetings of the Board and its subcommittees; prepare and approve all meeting agendas; and adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's DFO, in consultation with the Board's Chair. The Board shall meet at least four times per year, with at least two of those meetings taking place at the Academy. Board meetings should last at least one full day.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Board shall terminate upon rescission of 10 U.S.C. § 9355.
12. Membership and Designation: The Board, pursuant to 10 U.S.C. § 9355 (a) and (b)(2), shall be constituted annually and composed of 15 members. The Board membership shall include:
  - a. Six persons designated by the President, at least two of whom shall be graduates of the Academy;
  - b. The Chair of the House Committee on Armed Services, or designee;
  - c. Four persons designated by the Speaker of the House of Representatives, three of whom shall be members of the House of Representatives and the fourth of whom may not be a member of the House of Representatives;
  - d. The Chair of the Senate Committee on Armed Services, or designee; and

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- e. Three other members of the Senate designated by the Vice President or the President pro tempore of the Senate, two of whom are members of the Senate Committee on Appropriations.

Board members designated by the President shall serve for three years each, except that any member whose term of office has expired shall continue to serve until a successor is designated. The President shall designate persons each year to succeed the members whose terms expire that year.

If a member of the Board dies, resigns, or is terminated, a successor shall be designated for the unexpired portion of the term by the official who designated the member.

If a member of the Board fails to attend two successive Board meetings, except in a case in which an absence is approved in advance for good cause by the Board Chair, such failure shall be grounds for termination from membership on the Board, pursuant to 10 U.S.C. § 9355(c)(2)(A) (“absenteeism provision”).

Termination of membership on the Board pursuant to the absenteeism provision, in the case of a member of the Board who is not a member of Congress, may be made by the Board’s Chair and, in the case of a member of the Board who is a member of Congress, may be made only by the official who designated the member. When a member of the Board is subject to termination from membership on the Board under the absenteeism provision, the Board’s Chair shall notify the official who designated the member. Upon receipt of such a notification with respect to a member of the Board who is a member of Congress, the official who designated the member shall take such action as that official considers appropriate.

Board members who are full-time or permanent part-time Federal officers or employees shall be appointed as regular government employee (RGE) members pursuant to 41 C.F.R. § 102-3.130(a). Board members designated by the President or the Congress, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts or consultants to serve as special government employee (SGE) members pursuant to 5 U.S.C. § 3109.

The Board members shall select the Chair and Vice Chair from the total membership.

With the exception of reimbursement of official Board-related travel and per diem, Board members serve without compensation.

The Board may, pursuant to 10 U.S.C § 9355 (g) and upon approval by the Secretary of the Air Force, call in advisors for consultation. These advisors shall, with the exception of reimbursement of official Board-related travel and per diem, serve without compensation.

- 13. Subcommittees: The DoD, when necessary and consistent with the Board’s mission and DoD policies and procedures, may establish subcommittees, task groups, or working groups to support the Board. Establishment of subcommittees will be based upon a written

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determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Air Force, as the Board's sponsor.

Such subcommittees or workgroups shall not work independently of the Board and shall report all their recommendations and advice solely to the Board for full and open deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Board. No subcommittee or its members may update or report, verbally or in writing, directly to the DoD or to any Federal officer or employee.

The Secretary of Defense or the Deputy Secretary of Defense will appoint subcommittee members to a term of service of one-to-four years, with annual renewals, even if the member in question is already a member of the Board. Subcommittee members shall not serve more than two consecutive terms of service unless authorized by the Secretary of Defense or the Deputy Secretary of Defense.

Subcommittee members, if not full-time or permanent part-time Federal officers or employees, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will serve as RGE members pursuant to 41 C.F.R. § 102-3.130(a). With the exception of reimbursement of official Board-related travel and per diem, subcommittee members shall serve without compensation.

Each subcommittee member is appointed to provide advice on behalf of the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

All subcommittees, task forces, and working groups operate under the provisions of the FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

14. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Records Schedule 26, and governing DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
15. Filing Date: November 13, 2014.